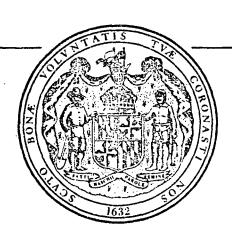
# RECORDS RETENTION SCHEDULE



MARYLAND COURT SYSTEM PROBATE RECORDS GENERAL SCHEDULE NO. 662

### INTRODUCTION

This general schedule has been prepared by the Records Management Division of the Hall of Records Commission, Department of General Services, to aid in the control of records created by or deposited in the offices of the Orphans' Courts and Registers of Wills.

Since the inception of the State Records Management Program in 1953, records retention schedules have been prepared on an individual county basis. As more records were surveyed and scheduled, a statewide pattern of recordskeeping emerged indicating the feasibility of developing a single schedule to govern the retention and disposition of probate records pertaining to the Orphans' Courts and Registers of Wills.

This schedule supersedes all former schedules and is an assimilation and reconciliation of the records series listed in the individual county records retention schedules, 1953 to date. Titles of records series may vary between counties although they contain the same basic information.

Records listed herein will be found in each Orphans' Court and Register of Wills office but not all of the records found in each court or office have been included in this schedule. Records which are unique to a particular office, created for special uses, have not been included. However, these records, as well as obsolete and discontinued records which have not been scheduled, should be offered to the Hall of Records for acceptance or rejection as archival material after which these records can be scheduled accordingly.

As changes are made in records series, new series added and old ones deleted, schedule amendments will be issued to include more appropriate entries reflecting such changes, updating the schedules and making the recommendations easier to apply.

The schedule is divided into three main sections with the records series arranged alphabetically within each section:

- I. Administrative Office Records
- II. Fiscal Records
- III. Probate Records

Records, current or noncurrent, which are scheduled to be retained permanently or for long periods of time and which have not been accepted as archival material by the Hall of Records, may be destroyed after they have been photo-

graphed, photocopied, or microphotographed. The film will be retained for the retention period recommended for the original records.

A 'Records Disposition Manual,' available from the Records Management Division, provides additional guidance in applying the disposal recommendations contained in this schedule.

Advice and assistance in solving records management problems are available from the Records Management Division. Call or write to:

Department of General Services Records Management Division Treasury Building Annapolis, Maryland 21401

Telephone: 269-3023

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

NO. 662

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Description

Section I

## ADMINISTRATIVE OFFICE RECORDS

1. ACCOUNTING AND FISCAL RECORDS

(See Fiscal Records, Section II.)

2. GENERAL ADMINISTRATIVE CORRESPONDENCE

General correspondence, reports and miscellaneous papers relating to the operation and organization of the Register's Office including formal and informal opinions and correspondence with the Office of the Attorney General.

Retain permanently opinions and correspondence with the Attorney General and office organization papers, reports, and material having continuing legal or administrative value to the operation of the office.

Retain all other material for three (3) years, then destroy.

3. PERSONNEL FILES

Papers, correspondence and forms related to employment in the office of the Register of Wills, including application forms, change in status information, tax reporting forms, complaints and other miscellaneous records, and forms and correspondence pertaining to the individual employee.

Retain for twelve (12) years after termination of service, then destroy.

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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Section II

### FISCAL RECORDS

This series includes all standard State accounting forms as well as other accounting media which provide supporting data for the special and general accounting records.

Each Register of Wills and Orphans' Court will use all or some of the following records which are governed by the indicated retention period:

# 1. Accounting Records

Audit reports

General ledgers (journals to be retained in the absence of ledgers; see Item 6)

Retain permanently; transfer periodically to the Hall of Records.

# 2. General Accounting Records

Certificate of deposit and bank deposit slips
Distribution of charges
Memorandum of adjustments
Monthly report of State funds collected and deposited
Transmittals

Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.

# 3. Purchasing Records

Actual emergency and repairs report
Copy of contract awarded
Credit memorandum
Notice of award of contract
Out-of-schedule requisition for supplies

Purchase order Report of partial delivery

Requisition for supplies (also agency interoffice requisitions)

Stores requisition

Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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# 4. Budget and Fiscal Planning Records

Budget estimates

Budget schedule amendment

Materials and supplies physical inventory

Report of fixed assets

Report of materials and supplies

Request for position action

Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.

# 5. Payroll Accounting Records

Employee roster card file Payroll and check register Payroll exceptions time report Payroll transmittals Payroll warrants

Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.

# 6. Miscellaneous Accounting Records

Bank books, statements, and deposit receipts

Budget papers and work sheets

Cancelled checks, check copies, and check stubs

Daily and monthly time sheets

Delivery order and receipt

Gas withdrawal tickets and mileage records

Journals, cash receipt and disbursement (see general ledgers, Item 1)

License copies and stubs (including business, liquor, hunting, fishing, etc.)

Paid bills and invoices

Periodic financial reports to local and State agencies

Receipt copies and stubs

Reconciliation and trial balance sheets

Requisitions and purchase orders

Withholding tax forms and statements (local, State, and federal)

Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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Section III

### PROBATE RECORDS

## 1. ACCOUNTS OF SALES

(See Personal Property Sales, Item 22; Real Estate Sales Records and Indexes, Item 26.)

# 2. ADMINISTRATION/ESTATE DOCKETS

Record of administration of estates listing all papers issued or received with dates of recording, estate numbers, and names of estates.

Retain permanently; transfer periodically to the Hall of Records.

## ADMINISTRATION PROCEEDINGS RECORDS

Photographic reproduction of all papers issued, received, and filed in the course of probate of estates. Original papers are maintained in the Estate Case Files (Item 11) and indexed in the Administration/Estate Dockets (Item 2).

Retain permanently; transfer periodically to the Hall of Records.

# 4. ADMINISTRATOR AND EXECUTOR ACCOUNT RECORDS, INDEXES/KEYS

Itemized administration and disbursement accounts by estates with action of the Orphans' Courts. Indexes or keys are arranged by title of the estate with names of the legatees and administrators or executors.

Retain permanently; transfer periodically to the Hall of Records.

# 5. ADMINISTRATOR AND EXECUTOR APPLICATIONS, APPOINIMENTS, AND RENUNCIATIONS

Record of applications by administrators, executors, and guardians for letters of administration and of their appointments by the Court. Renunciations are included.

Retain permanently; transfer periodically to the Hall of Records.

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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# 6. ADMINISTRATOR AND EXECUTOR BONDS AND INDEXES

Record of bonds required from administrators and executors with names of estates, administrators, executors and bondees, lists of the securities and amounts of the bonds, dates, conditions and obligations, dates of approvals and recordations with signature of the Register of Wills and name index.

Retain permanently; transfer periodically to the Hall of Records.

## 7. ADMINISTRATOR AND EXECUTOR CERTIFICATES OF NOTICE TO CREDITORS

Record of Orphans' Court orders to administrators and executors to publish notices to creditors as required by law.

Retain permanently; transfer periodically to the Hall of Records.

# 8. ADMINISTRATOR AND EXECUTOR OATHS AND AFFIRMATIONS

Oaths and affirmations recorded by the Register of Wills with the Register's signature and certification.

Retain permanently; transfer periodically to the Hall of Records.

# 9. CLAIMS AGAINST NONRESIDENT DECEDENTS BOOKS

Record of claims and releases against real and leasehold Maryland property of decedents in foreign jurisdictions.

Retain permanently; transfer periodically to the Hall of Records.

# 10. CLAIMS DOCKET/REGISTER

Record of claims against estates, names of claimants, amounts and notation of payment.

Retain permanently; transfer periodically to the Hall of Records.

# 11. ESTATE CASE FILES/PAPERS

After an estate is closed, all papers relating to probate of that estate are filmed, projection prints made and bound in the Administration Proceedings Record (Item 3), the original papers filed in the Estate Case File under estate number.

Retain permanently; transfer periodically to the Hall of Records.

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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# 12. EXECUTORS

(See Administrator and Executor, Items 4 through 8.)

# 13. GUARDIAN ACCOUNTS, DOCKETS, AND INDEXES

Record of accounting, by guardians, for receipts and disbursements to and for wards giving names, account numbers, itemized expenditures and receipts with dates of recordation and approval by the Orphans' Court.

Retain permanently; transfer periodically to the Hall of Records.

## 14. GUARDIAN BONDS

Record of the bonding of guardians with names of the bonders and bondees, the amounts, conditions and obligations of the bonds, names of the wards and certifications by the Register of Wills.

Retain permanently; transfer periodically to the Hall of Records.

# 15. INFORMATION REPORTS

Comptroller's forms for reporting information required for tax purposes on property which may not come through an estate but is taxable under probate, such as property transferred within two years prior to death of the testator and interest as a joint tenant, or co-tenant, in real or personal property.

Retain permanently; transfer periodically to the Hall of Records.

# 16. INVENIORY RECORDS AND INDEXES

Appraisals of real and personal property with names of the decedents, executors and administrators, dates of recordation, warrants to the appraisers, itemized lists of property with appraised values, lists of debts due estates and totals.

Retain permanently; transfer periodically to the Hall of Records.

# 17. JOINT AND CO-TENANCY ACCOUNTS

(See Information Reports, Item 15.)

# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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### Description

## 18. LETTERS OF ADMINISTRATION AND TESTAMENTARY

Record of petitions to the Orphans' Court for authority to proceed to the administration of estates in cases in which a will does not exist (administration) or exists (testamentary). Names of the petitioners and decedents are given with dates of the wills, if existing, the places and dates of death, names of heirs and sureties, the letters granted and amounts of the bonds.

Retain permanently; transfer periodically to the Hall of Records.

# 19. MINUTES OF THE ORPHANS' COURT AND INDEX

Summary of proceedings in the probate of wills, granting of letters of administration and testamentary, the conduct and accounting of administrators, executors and guardians in distribution of estates, and the control and management of estates of minors and other persons under the especial protection of the probate laws. Indexed internally or in a separate volume.

Retain permanently; transfer periodically to the Hall of Records.

# 20. ORPHANS' COURT DOCKETS

(See Administration/Estate Dockets, Item 2.)

## 21. ORPHANS' COURT PAPERS

(See Estate Case Files, Item 11.)

### 22. PERSONAL PROPERTY SALES RECORDS AND INDEXES

(See also Real Estate Sales Records, Item 26.)

Record of Orphans' Court orders to sell personal property giving names of the applicants and the orders of the Court, lists of goods and chattels with the amounts received when sold and names of the purchasers, the administrators' affadavits and signatures of the Registers.

Retain permanently; transfer periodically to the Hall of Records.

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# RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)

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Description

# 23. PERSONNEL RECORDS

(See Administrative Office Records, Section I.)

## 24. PETITIONS AND ORDERS FOR PAYMENT OF CHARGES UPON ESTATES

Record of petitions for payment of charges upon estates including funeral expenses, attorney's fees, doctor's bills and other collections placed upon the estate with court authorizations to pay.

Retain permanently; transfer periodically to the Hall of Records.

# 25. PROCEEDINGS OF THE ORPHANS' COURT

(See Minutes, Item 19.)

# 26. REAL ESTATE SALES RECORDS AND INDEXES

Record of court orders for the sale of real estate by administrators and executors with descriptions of the properties, terms and the amounts received, dates and affadavits of sales, printers' certificates, orders nisi, signatures of the judges of the Orphans' Court, and names of purchasers and attorneys with dates passed, examined and signed.

Retain permanently; transfer periodically to the Hall of Records.

# 27. RELEASE AND RECEIPT RECORDS, AND INDEXES

Record of releases of administrators, executors and guardians by inheritors' receipts stating that properties, goods, chattels and securities have been received by them, showing the amounts, dates and acknowledgments, witnessed and notarized, with signatures of the Registers of Wills, indexed by names of estates.

Retain permanently; transfer periodically to the Hall of Records.

# 28. RENUNCIATIONS

(See Administrator and Executor Applications, Appointments and Renunciations, Item 5.)

Itom Description No. 29 SALES RECORDS (See Personal Property Sales Records, Item 22, and Real Estate Sales Records. Item 26.) 30 SMALL ESTATE RECORDS Record of petitions to release heirs of estates of less than five thousand dollars (\$5,000.00) from formal administration of such estates giving dates of petitions, names of decedents, petitioners, heirs and names of creditors, and assets of the estate with the orders of release by the Court. Retain permanently; transfer periodically to the Hall of Records. 31. STOCKS AND BONDS RECORDS (See Inventory Records, Item 16.) 32. TESTAMENIARY LETTERS (See Letters of Administration and Testamentary, Item 18.) 33. WILL BOOKS AND INDEXES (See also Administration Proceedings, Item 3, and Estate Case Files, Item 11.) Transcribed copies of wills, including codicils, of which the originals are filed with the Estate Case Files and indexed internally or in separate index books by names of decedents. Retain permanently; transfer periodically to the Hall of Records. 34. WILLS OF LIVING PERSONS AND INDEX Wills deposited by the makers for safekeeping with the Registers of Wills with direction for delivery of the wills to designated persons after death of the makers, indexed by names of the makers. Retain wills of living persons as other confidential records, for delivery after proof of death to the persons designated to receive them.

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# RECORDS RETENTION SCHEDULE



MARYLAND COURT SYSTEM PROBATE RECORDS GENERAL SCHEDULE NO. 662

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# RECORDS RETENTION AND DISPOSAL SCHEDULE

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# DEPARTMENT OF GENERAL SERVICES Records Management Division

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# RECORDS RETENTION AND DISPOSAL SCHEDULE

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PAGE NO.

# RECORDS RETENTION AND DISPOSAL SCHEDULE

	ORPHANS' COURTS AND REGISTERS OF WILLS	Frederick County
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